

Marc A. Karish (State Bar No. 205440)  
marc.karish@kb-ip.com  
Bruce G. Chapman (SBN 164258)  
bruce.g.chapman@kb-ip.com  
ORBIT IP, LLP  
11400 W. Olympic Blvd., Suite 200  
Los Angeles, CA 90064  
Telephone: (310) 887-1333  
Facsimile: (310) 887-1334

Attorneys for Defendant  
and Counterclaim Plaintiff  
YA YA LOGISTICS, INC.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

OPULENT TREASURES, INC.

Plaintiff,

v.

YA YA LOGISTICS, INC., HK  
JAYDEN TRADING, LTD., SUO VIVI  
also known as SUI HUI, an individual,  
and WIN BEST IMPORT AND  
EXPORT CO., LTD.,

Defendants.

**Case No. 2:22-cv-6137-SSS-JC**

*Consolidated with Case No. 2:22-cv-02616 and Case No. 2:23-cv-04292*

**DEFENDANT YA YA LOGISTICS,  
INC.'S SEPARATE STATEMENT  
OF UNCONTROVERTED FACTS  
AND CONCLUSIONS OF LAW IN  
SUPPORT OF ITS MOTION FOR  
SUMMARY JUDGMENT**

Judge: Hon. Sunshine S. Sykes  
Hearing Date: August 1, 2025  
Time: 2:00 pm  
Courtroom: 2 (Zoom videoconference)

PURSUANT TO LOCAL RULE 56 AND THIS COURT’S SCHEDULING AND CASE MANAGEMENT ORDER, COMES NOW DEFENDANT YA YA LOGISTICS, INC. (“Ya Ya Logistics”) and submits this Separate Statement of Uncontroverted Facts and Conclusions of Law in support of its motion for summary judgment.

STATEMENT OF UNCONTROVERTED FACTS

Undisputed Fact:	Evidence:
1. Plaintiff Opulent Treasures, Inc. (“Opulent Treasures”) alleges infringement of a single trademark on the Principal Register, U.S. Trademark Reg. No. 5,912,235, by sales of CHDLR_045 products of third-party Ya Ya Creations, Inc.	D.N. 14 (First Amended Complaint) at p. 18, ¶ 76.
2. Opulent Treasures alleges infringement of multiple common law trademarks by sales of certain products by third-party Ya Ya Creations, Inc.	D.N. 14 (First Amended Complaint) at ¶¶ 47, 99.
3. Opulent Treasures alleges infringement of several copyrights for which it first obtained registrations in 2022 by sales of certain products by third-party Ya Ya Creations, Inc.	D.N. 14 (First Amended Complaint) at ¶¶ 18, 65 and Exh A thereto.
4. Opulent Treasures has served no written discovery and taken no	Karish Dec., ¶ 2.

DEFENDANT YA YA LOGISTICS, INC.’S SEPARATE STATEMENT OF UNCONTROVERTED FACTS AND CONCLUSIONS OF LAW IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT

1	<u>Undisputed Fact:</u>	<u>Evidence:</u>
2	depositions with regard to this case	
3	against Ya Ya Logistics.	
4	5. Opulent Treasures' only	Karish Dec., ¶ 3, Exh. A (Opulent
5	response to Ya Ya Logistics'	Treasures Inc.'s Responses to Ya Ya
6	Interrogatory No. 10 asking Opulent	Logistics, Inc.'s First Set of
7	Treasures to "describe in detail the	Interrogatories), p. 8, line 27 – p. 9, line
8	complete factual and legal bases for	6.
9	YOUR contention that DEFENDANT	
10	has infringed any applicable	
11	copyrights" was "Opulent states that	
12	discovery is ongoing, and it will	
13	supplement its response to this	
14	Interrogatory at a later date."	
15		
16	6. Opulent Treasures never	Karish Dec., ¶ 4
17	provided a further response to Ya Ya	
18	Logistics' Interrogatory No. 10, and	
19	no evidence supporting Opulent	
20	Treasures copyright claim against Ya	
21	Ya Ya Logistics was ever disclosed.	
22	7. Opulent Treasures only	Karish Dec., ¶ 5, Exh. A (Opulent
23	response to Ya Ya Logistics'	Treasures Inc.'s Responses to Ya Ya
24	Interrogatory No. 1 asking Opulent	Logistics Inc.'s First Set of
25	Treasures to "describe in detail the	Interrogatories), p. 4, lines 6-14.
26	complete factual and legal bases for	
27	YOUR contention that DEFENDANT	
28		

<u>Undisputed Fact:</u>	<u>Evidence:</u>
has infringed any applicable trademarks or trade dress under federal and state law” was “Opulent states that discovery is ongoing, and it will supplement its response to this Interrogatory at a later date.”	
8. Opulent Treasures never provided a further response to Ya Ya Logistics’ Interrogatory No. 1, and no evidence supporting Opulent Treasures trademark claim against Ya Ya Logistics was ever disclosed.	Karish Dec., ¶ 6.
9. Opulent Treasures’ only response to Defendant’s Interrogatory No. 11 asking Opulent Treasures to “describe in detail the complete factual and legal bases for YOUR contention that DEFENDANT committed counterfeiting” was “Opulent states that discovery is ongoing, and it will supplement its response to this Interrogatory at a later date.”	Karish Dec., ¶ 7, Exh. A (Opulent Treasures Inc.’s Responses to Ya Ya Logistics, Inc.’s First Set of Interrogatories), p. 9, lines 8-15.
10. Opulent Treasures never provided a further response to Ya Ya Logistics’ Interrogatory No. 11, and	Karish Dec., ¶ 8

<u>Undisputed Fact:</u>	<u>Evidence:</u>
no evidence supporting Opulent Treasures' counterfeiting claim against Ya Ya Logistics was ever disclosed.	
11. Opulent Treasures refused to produce a single document in response to Defendant's requests for production.	Karish Dec., ¶ 9, Exh. B (Opulent Treasures Inc.'s Responses to Ya Ya Logistics, Inc.'s First Set of Requests for Production of Documents).
12. Opulent Treasures has produced no evidence that Ya Ya Logistics has stored, distributed, offered for sale, or advertised any of the products accused of infringing Opulent Treasures' alleged copyrights.	Karish Dec., ¶ 10.
13. Opulent Treasures has produced no evidence that Ya Ya Logistics has stored, distributed, offered for sale or advertised any of the products accused of infringing Opulent Treasures' alleged trademarks.	Karish Dec., ¶ 11.
14. Opulent Treasures has produced no evidence that Ya Ya Logistics has stored, distributed, offered for sale or advertised the products accused of being counterfeits of Opulent Treasures' U.S. Trademark	Karish Dec., ¶ 12.

<u>Undisputed Fact:</u>	<u>Evidence:</u>
Registration No. 5,912,235.	
15. Opulent Treasures has produced no evidence that Ya Ya Logistics was aware of any of Plaintiff's alleged trademarks or copyrights.	Karish Dec., ¶ 13.
16. Opulent Treasures has produced no evidence showing any damage as a result of Ya Ya Logistics, let any quantification of what those damages would be.	Karish Dec., ¶ 14.

//

//

**PROPOSED CONCLUSIONS OF LAW**

1. There is no evidence sufficient to demonstrate a genuine issue of material fact that Ya Ya Logistics, Inc. infringed any alleged copyright of Opulent Treasures' either directly or indirectly.

2. There is no evidence sufficient to demonstrate a genuine issue of material fact that Ya Ya Logistics, Inc. infringed any alleged trademark of Opulent Treasures' either directly or indirectly.

Respectfully submitted:

ORBIT IP, LLP

Date: July 10, 2025

By: /s/ Marc Karish

Marc Karish  
Attorneys for Defendant  
YA YA LOGISTICS, INC.

**CERTIFICATE OF SERVICE**

A copy of Defendant Ya Ya Logistics, Inc.'s Separate Statement of Uncontroverted Facts and Conclusions of Law In Support of Its Motion for Summary Judgment was served upon the parties to this matter via the Court's CM/ECF system and via email on July 10, 2025.

/s/ Marc A. Karish